

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RONALD F. MARTINEZ,

Plaintiff,

v.

C. RIOS,

Defendant.

No. 2:24-cv-2474 DAD SCR P

ORDER

Plaintiff, a state prisoner proceeding pro se, filed this civil rights action seeking relief under 42 U.S.C. § 1983. On September 17, 2024, this court ordered plaintiff to file a motion to proceed in forma pauperis or pay the filing fee within 30 days if he wished to proceed with this case. When plaintiff did not timely file a motion to proceed IFP, pay the fee, or otherwise respond to the court's September 17 order, this court recommended this case be dismissed for plaintiff's failure to comply with court orders. (Oct. 31, 2024 Findings and Recos.; ECF No. 7.)

Plaintiff filed timely objections to the October 31 findings and recommendations and also filed a motion to proceed in forma pauperis. (ECF Nos. 8, 9.) Plaintiff explains that difficulties with the prison mail room caused the delay in complying with the September 17 order. Plaintiff has shown good cause for his delay and will be permitted to proceed with this case.

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1 Accordingly, IT IS HEREBY ORDERED that the findings and recommendations (ECF  
2 No. 7) are vacated. The court will consider plaintiff's motion to proceed in forma pauperis in due  
3 course.

4 DATED: December 3, 2024

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7 SEAN C. RIORDAN  
8 UNITED STATES MAGISTRATE JUDGE  
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